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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,900	12/21/2001	Thomas Ronald Taylor	87355.3060	5307

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EXAMINER

NGUYEN, SANG H

ART UNIT PAPER NUMBER

2877

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/023,900

Applicant(s)

TAYLOR ET AL.

Examiner

Sang H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. The present Office action is made in response to the Amendment "A" (Paper No. 6 of 04/18/03). It is noted that the present application contains claims 1-20 by the Amendment "A".

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 6, 8-9, 11, 15-16, 18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hara et al (U.S. Patent No. 5,078,150).

Regarding claim 1, 3, 6, 8-9, 11, 13, 15-16, 18, and 20; Hara et al discloses a fiberscope/borescope apparatus (91 of figure 12) comprising:

\* a flexible viewing scope is considered to be a rigid tip section (9 of figure 3) connected to a first end (figures 3 and 12) of a fiber optic cable (12,13 of figure 3 and col.19 lines 22-27) of an elongate flexible insertable section (94 of figure 12);

\* means for (CCD detector [103 of figure 12]) viewing the object (202 of figure 1) through an eyepiece section (92 of figure 12) of the fiberscope (91 of figure 12) having an eyepiece lens (101 of figure 12), wherein the an eye piece section (92 of figure 12) of the fiberscope (91 of figure 12) connected to a second end (figures 3 and 12) of the fiber optic cable (12,13 of figure 3 and col.19 lines 22-27); and

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\* a source of ultraviolet light (3 of figure 3 and col.11 lines 64-67) provide at the second end (figures 3 and 12) of the fiber optic cable (12,13 of figure 3 and col.19 lines 22-27) for illuminating an object is living body (202 of figure 1), wherein the fiber optic cable (12,13 of figure 3) is encased in a flexible arm considered to be the elongate flexible insertable section (94 of figure 12). See figures 1-25.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4-5, 7, 10, 12, 14, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hara et al (U.S. Patent No. 5,078,150) in view of Lobb et al (U.S. Patent No. 5,045,936) and Tamburrino (U.S. Patent No. 5,202,758).

Regarding claims 2, 10, 14, and 17; Hara discloses all of features in claimed invention except for a white light source provide at the second end of the fiber optic. However, Tamburrino teaches that it is known in the art to provide a white light source (37 of figure 3) provide at the second end of the fiber optic (31,32 of figure 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide fiberscope apparatus and method of Hara et al with a white light source provide at the second end of the fiber optic as

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shown in the device of Tamburrino for the purpose of providing a full color video image of the object and measuring cracks or defects of the object.

Regarding claims 4 and 7; Hara et al teaches all of features in claimed invention except for a switch for turning the ultraviolet light source on and off. However, Lobb et al teaches that it is well known in the art to provide a switch for turning the ultraviolet light source on and off (figures 1-9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide bore-scope apparatus and method of Hara et al with a switch for turning the ultraviolet light source on and off as shown in the device of Lobb et al for the purpose of adjusting light beam onto the object until a clear image of the object.

Regarding claims 5, 12, and 19; Hara et al teaches all of features in claimed invention except for the ultraviolet light source is a blue LED. However, Tamburrino discloses that it is known in the art to provide the ultraviolet light source is a blue LED (col.3 line 15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide fiberscope apparatus and method of Hara et al with the ultraviolet light source is a blue LED as shown in the device of Tamburrino for the purpose of providing a full color video image of the object and measuring cracks or defects of the object.

#### *Response to Arguments*

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

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*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hosoda et al (6,464,633) discloses light source device for endoscope; Kral et al (6,412,334) discloses leak detection for endoscope; Tomasch et al (6,043,842) discloses remote surveillance device; Furusawa et al (5,840,017) discloses endoscope system; Ainsworth et al (5,703,377) discloses apparatus for the inspection of cylindrical object having a borescope device; or Cawood (5,617,498) discloses light transmitting outer casings for endoscope and methods of making.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sang Nguyen whose telephone number (703)308-6426. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

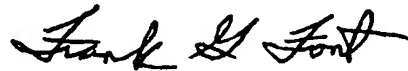
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Frank Font, can be reached on (703)308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7722 or 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.



Nguyen/ sn

June 26, 2003



Frank G. Font  
Supervisory Patent Examiner  
Art Unit 2877  
Technology Center 2800